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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/537,691

06/06/2005

Thomas Michael Donlon

B22-2531

8444

33249

7590

10/08/2008

HEXION SPECIALTY CHEMICALS, INC.  
1600 SMITH STREET, P.O. BOX 4500  
HOUSTON, TX 77210-4500

EXAMINER

MARCANTONI, PAUL D

ART UNIT

PAPER NUMBER

1793

MAIL DATE

DELIVERY MODE

10/08/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.



Art Unit: 1793

The applicants 8/27/08 Terminal Disclaimer and Response is noted. The terminal disclaimer was approved and thus the prior art rejection was withdrawn.

Allowable Claims:

Method Claims 1-21, 32, and 33 are now allowable.

Non-Elected Claims/Rejoinder:

Product claims 22-31 and 34 would not appear to be rejoinable with method claims 1-21, 32, and 33. Rejoinder requires that applicants chose the product claims first upon an election of a Group for restriction. Applicants elected the process which thus negates their right to rejoin Groups I and II. Note that the examiner also indicated on page 2 of his 4/8/08 restriction requirement (under "note" that rejoinder requires that applicants first pick the product claims. They did not do so). See MPEP 821.04.

Finally, applicants are respectfully requested to CANCEL non-elected claims 22-31 and 34 to place this application in final condition for allowance.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul Marcantoni whose telephone number is 571-272-1373. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jerry Lorengo, can be reached at 571-272-1233. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Paul Marcantoni/  
Primary Examiner, Art Unit 1793